

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

EDDIE S. RODRIGUEZ-BERRIOS

V.

UNITED STATES OF AMERICA

NO. 04-CR-081 (PG)

CIV. NO.11-1054 (PG)

MOTION FOR EXTENSION OF TIME TO FILE APPEAL

AND NOW, comes Petitioner, Eddie S. Rodriguez-Berrios, pro-se, who hereby moves this Honorable Court for an extension of time to file an appeal, and in support thereof represents:

1. That on or about January 19, 2011 Petitioner filed a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. 2255.

2. That on or about January 24, 2011 an amended petition was filed.

3. That on February 28, 2011 the Government filed its response to Petitioner's motion under 2255.

4. That Petitioner has absolutely no knowledge if Counsel Erick Morales filed a brief in opposition to the Government's

response.

5. The Petitioner has absolutely no contact with his Counsel Erick Morales for Mr. Morales refuses to respond to Petitioner's correspondences or accept his calls.

6. Petitioner has made numerous attempts to contact counsel, but to no avail.

7. Petitioner's Aunt has obtained a copy of the docket entry sheet in this case and informed Petitioner that this Honorable Court denied Petitioner's motion under 2255.

8. Petitioner comprehends that he has 60 days under Fed. R. App. P., Rule 4(a)(1) to file an appeal.

9. Due to counsel's failure to communicate with Petitioner Petitioner is unaware of the date this Honorable Court denied his motion under 2255.

10. Petitioner has no knowledge if counsel filed an appeal or request for certificate of appealability.

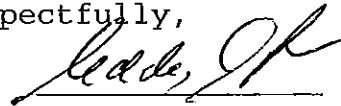
11. The District Court may grant an extension of time to file an appeal under Fed. R. App. P., Rule 4(a)(5) if movant can show good cause.

cause and requests that the Court deem the same.

WHEREFORE, for the reasons enumerated above and obvious others Petitioner respectfully requests that this Honorable Court grant him an extension of time to file an appeal.

Dated: 4/14/11

Respectfully,

A handwritten signature in black ink, appearing to read "Eddie, JR", written over a horizontal line.

Eddie S. Rodriguez-Berrios

No. 24131-069

FCI-Edgefield

P.O. Box 725

Edgefield, S.C. 29824

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of
Petitioner's motion for an extension of time to file an appeal
was served upon the parties listed below and by means of
U.S.P.S. prepaid postage.

John Joseph Moakley
U.S. Courthouse
One Courthouse Way, Ste. 2500
Boston, MA. 02210-3002

Erick Morales, Esquire
P.O. Box 3553
Carolina, P.R. 00984

Nelson Perez-Sosa
Assistant U.S. Attorney
U.S. Attorney's Office
San Juan, P.R. 00918

Dated: 4/14/11

/s/ 

EDDIE S. RODRIGUEZ-BERRIOS
No. 24131-069
FEDERAL CORRECTIONAL
INSTITUTION
P.O. Box 725
EDGEFIELD, S.C. 29824

[illegible]

⇔24131-069⇔

Clerk Of Court
Room 150 Federal Bldg.
SAN JUAN, PR - 00918
United States